

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

UNITED STATES OF AMERICA

§

v.

§

ALLAN HERNANDEZ

§

CASE NO. 5:21-cr-14 (8)

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The above-styled matter was referred to the Honorable J. Boone Baxter, United States Magistrate Judge, for administration of a guilty plea under Rule 11 of the Federal Rules of Criminal Procedure. Judge Baxter conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued a Report and Recommendation (Docket No. 398). Judge Baxter recommended that the Court accept Defendant's guilty plea and conditionally approve the plea agreement. He further recommended that the Court finally adjudge Defendant as guilty of Count 1 of the Second Superseding Indictment. Count 1 of the Second Superseding Indictment charges a violation of 21 U.S.C. § 846 conspiracy to distribute and possess with intent to distribute fifty grams or more of methamphetamine or five hundred grams or more of a mixture of a substance containing methamphetamine. The Court is of the opinion that the Report and Recommendation should be accepted. It is accordingly **ORDERED** that the Report and Recommendation of the United States Magistrate Judge (Docket No. 398) is **ADOPTED**. It is further

ORDERED that the Defendant's guilty plea is accepted and approved by the Court. Further, the plea agreement is approved by the Court, conditioned upon a review of the presentence report. It is finally

ORDERED that, pursuant to the Defendant's amended plea agreement, the Court finds the

Defendant **GUILTY** of Count 1 of the Second Superseding Indictment in the above-numbered cause and enters a **JUDGMENT OF GUILTY** against the Defendant as to Count 1 of the Second Superseding Indictment.

SIGNED this 26th day of June, 2024.

Robert W. Schroeder III
ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE